

MEMBERS PRESENT

Peg Birney
Brian Callahan, Alternate
Robert LaColla
Robert Rahemba
David Stenger
James H. Wick, Chairman

MEMBERS ABSENT

Thomas J. Knips
Sheila Lahey
Shannon Lashlee, Alternate

OTHER PRESENT

John V. Andrews, Jr., P.E., Town Engineer
Christopher J. Colsey, Director of Municipal Development
J. Theodore Fink, AICP, Town Planning Consultant
Scott L. Volkman, Esq., Town Planning Board Attorney
Robert Maughn
Matthew Horton
Josh Indorf
William H. Povall, III, P.E.
Eugene D. Ninnie, P.E.
Robert Schank
Mike Quader
Glenn J. Watson, L.S.
Mike Quader
Daniel Zalinsky
Richard Rang, P.E.

James H. Wick, Chairman at 7:00 p.m., called the meeting to order.

Mr. Wick appointed Mr. Callahan, Alternate Planning Board member, to substitute for Mrs. Lahey.

DISCUSSION
BOSTON MARKET @ WESTAGE

Mr. Maughan presented to the Board color samples, which he stated, are the new corporate colors for Boston Market. Ms. Birney asked if the lettering for Boston Market would change. Mr. Maughn stated no the letters would remain red that is the Boston Market corporate color.

It was the consensus of the Board that the colors as presented are acceptable.

Mr. LaColla made a motion that the Board empower Mr. Colsey to prepare and sign a letter indicating that the colors are acceptable as presented this evening. Seconded by Mr. Rahemba. Motion carried.

NEW SUBMITTAL
INDORF - SUBDIVISION

Mr. Horton introduced himself as the engineer for this project. Mr. Horton stated the applicant, Mr. Indorf, is seeking approval to subdivide a parcel totaling 1.57 acres into two (2) lots, Lot 1 will consist of 1.16 acres and Lot 2 will consist of 0.41 acres.

FINAL

NEW SUBMITTAL
INDORF - SUBDIVISION
(REVIEW)

Mr. Horton stated the parcel for this proposal is located at the northwest corner of Old Glenham Road and Tompkins Avenue in the R-15 Zoning District.

Mr. Wick asked if the setback requirements for the R-15 Zoning District are being met with this proposal. Mr. Horton stated yes.

Mr. Wick asked Ms. Davis if a completed application, EAF, application fees and escrow deposit has been received; Ms. Davis stated yes.

Mr. LaColla made a motion that the Board accept the application for Indorf - Subdivision and refer it to the Town Engineer, Town Municipal Development Director, Town Building/Fire Inspector, Town Highway Superintendent, Town Planning Board Attorney, Dutchess County Department of Health and the Glenham Fire District for their review and comments. Seconded by Mrs. Birney. Motion carried.

Mr. LaColla made a motion that the Board schedule a public hearing for the July 14, 2005 Planning Board meeting at 7:30 p.m. or as soon thereafter as possible. Seconded by Mr. Rahemba. Motion carried.

REVIEW
PEAK ENTERPRISES - SPECIAL USE PERMIT

Mr. Horton stated they are now proposing a small sewer system for five (5) employees. Mr. Wick stated his only concern is that if this property sells so many years from now what will happen then. Mr. Andrews stated there is nothing in the Town Code that specifies the manner in which you treat an overflow or sewage treatment area. Mr. Andrews stated this reasonably complies with his request to put in a sewage system and they will need Dutchess County Department of Health approval.

Mr. Andrews reviewed his memorandum to the Board dated June 23, 2005; a copy of this memorandum is attached to the original minutes.

Mr. Wick asked Mr. Marino, Chief of the Rombout Fire District, if there would be any difficulty getting around the site. Mr. Marino stated no.

Mr. Fink reviewed his memorandum to the Board dated June 23, 2005; a copy of this memorandum is attached to the original minutes.

Mr. Andrews stated that this has not had a public hearing yet and suggested that the Board schedule a public hearing.

Mr. Volkman stated his comments from November of 2004 have been addressed. Mr. Volkman indicated that this is a Special Use Permit approval.

FINAL

REVIEW
PEAK ENTERPRISES - SPECIAL USE PERMIT
(CONTINUED)

Mr. LaColla made a motion that the Board schedule a public hearing for the July 14, 2005 Planning Board meeting at 7:30 p.m. or as soon thereafter as possible. Seconded by Mr. Rahemba. Motion carried.

REVIEW
LILAC CORPORATION - SUBDIVISION

Mr. Stenger recused himself from this discussion.

Mr. Wick suggested that the Board needs to perform a site visit. Mr. Andrews suggested that the site should be staked out first.

Mr. Andrews suggested that Mr. Fink review his memorandum to the Board first.

Mr. Fink reviewed his comment memorandum to the Board dated June 23, 2005; a copy of this memorandum is attached to the original minutes.

Mr. Wick asked Mr. Watson when he could have the site staked. Mr. Watson stated he is very concerned as this is first he is hearing of a site visit, something has changed and he would like to know what it is. Mr. Wick stated nothing has changed; the Board would simply like to perform a site visit, as it was winter when the public hearing was closed on this proposal. Mr. Watson stated he will have the road staked out by next Tuesday, June 28, 2005.

It was the consensus of the Board that a site visit will be performed on Friday, July 1, 2005 at 8:00 a.m. and they will meet at the Town Hall at 7:45 a.m. and drive one or two vehicles to the site. Mr. Wick stated Ms. Davis shall send an e-mail reminding the Board of the site visit.

Mr. Andrews reviewed his memorandum to the Board dated June 23, 2005; a copy of this memorandum is attached to the original minutes.

Mr. Fink reviewed the Draft Negative Declaration that he prepared for this project.

Mr. Rahemba made a motion that the Board adopt the Negative Declaration for the Lilac Subdivision. Seconded by Mr. LaColla. Mr. Stenger abstained. Motion carried.

Mr. LaColla made a motion that the Board adopt the Resolution of Preliminary Approval for the Lilac Subdivision as amended during the course of discussion this evening and that the Chairman sign it. Seconded by Mr. Rahemba. Mr. Stenger abstained. Motion carried.

PUBLIC HEARING
WESTAGE LOT 5 HOTELS - SITE DEVELOPMENT PLAN

The public hearing for Westage Lot 5 Hotels was called to order by the Board at 7:47 p.m. Mr. Wick read aloud the Notice of Public Hearing.

Mr. Ninnie stated they are seeking approval to construct two (2) hotels; one (1) 98 room, four (4) story hotel and one (1) 87 room, four (4) story hotel with associated parking. Mr. Ninnie stated that the parcel for this proposal is located at 500 Westage Business Center Drive, in the PSC (Planning Shopping Center) Zoning District and consists of 6.3 acres.

Mr. Ninnie stated both of roofs will be a standing seamed roof of a green color. Mr. Ninnie stated the signage is being adjusted to conform to the Town Code requirements.

Mr. Wick asked if there was anyone in the audience with questions, comments or concerns regarding this project.

Mr. Marino, Chief of the Rombout Fire District, asked if these hotels are going to be wood frame. Mr. Ninnie stated yes they will be wood frame and there will be no concrete.

Mrs. Birney suggested that Mr. Ninnie bring in better color renderings, actual color samples and building elevations.

Mr. LaColla asked if there is truck access for deliveries. Mr. Ninnie stated there are no restaurants, a continental breakfast will be offered, so these types of deliveries will be in the front. Mr. Wick asked if there is a kitchen in either of the hotels. Mr. Ninnie stated not to his knowledge.

Mr. Andrews stated in accordance with the Town Code, a loading zone is required for this and this Board has seen fit to reduce the size. Mr. Ninnie stated they will put in loading zones as required.

Mr. LaColla asked if there will be any generators; Mr. Ninnie stated no.

Mr. Wick asked if there was anyone in the audience with questions, comments or concerns regarding this project. There was no response from those in attendance.

Mr. LaColla made a motion that the Board closed the public hearing for Westage Lot 5 Hotels - Site Development Plan at 7:58 p.m. Seconded by Mrs. Birney. Motion carried.

REVIEW
SUNOCO ROUTE 9D - AMENDED SITE DEVELOPMENT PLAN

Mr. Schank stated he is here this evening to discuss the items that needed to be completed in accordance with the approved Site Development Plan. Mr. Schank stated the dumpster is currently under construction as they are on their third contractor, upon completion of the dumpster they will request that the building inspector perform the final inspection.

FINAL

REVIEW
SUNOCO ROUTE 9D - AMENDED SITE DEVELOPMENT PLAN
(CONTINUED)

Mr. Wick asked if the planter has been installed out front. Mr. Schank stated yes. Mr. Schank the shields on the lighting were installed last fall. Mr. Schank stated that the shields are metal and they are utilized by Central Hudson. Mr. Wick stated these shields are internal; Mr. Schank stated yes.

Mr. LaColla there are two (2) wall mounted fixtures on the building. Mr. Schank stated the lights on the building are of orange color and are only 70 watts.

Mrs. Birney stated she is surprised that the planter is pressure treated wood and not concrete, as it really isn't keeping with the look of the building.

Mrs. Birney asked if there is any way, someone can check to be sure that the shields are in fact stopping the glare. Mr. Colsey stated that one of the Building Inspectors would check on the shields in the evening.

REVIEW
OASIS MINISTRIES - SPECIAL USE PERMIT

Mr. Andrews reviewed his memorandum to the Board dated June 23, 2005; a copy of this memorandum is attached to the original minutes.

Mr. Andrews stated that the Applicant is complying with the new Phase Two Regulations for Stormwater.

Mr. Andrews stated a lot of time was spent with Mr. Watson and representatives of the church to make sure the landscaping is adequate for the site.

Mr. Andrews stated a Clearing and Grading Permit was granted along with a Special Use Permit Approval by this Board.

Mr. LePage, the Project Sponsor, stated they did not get a letter in before the meeting this evening to request an extension of this Special Use Permit Approval that expires on July 9, 2005. Mr. LePage submitted a letter to the Board requesting a six (6) month extension of the Special Use Permit Approval.

Mr. LePage stated he needs a clarification. Mr. LePage stated that the Hess Station is not allowing them to tie in for the pump station. Mr. Andrews stated that Mr. LePage needs to contact Mr. Blass, the Town's attorney, as easements were granted to the Town for this reason.

Mr. Volkman suggested that the Board consider extending the Special Use Permit and if an amendment is necessary, it can be accomplished at a later time.

Mr. LaColla made a motion that the Board grant a six (6) month extension of the Special Use Permit. Seconded by Mrs. Birney. Motion carried.

FINAL

REVIEW
TOLL BROS., INC. - VAN WYCK @ MERRITT PARK - 28 UNIT EXPANSION
AMENDED SITE DEVELOPMENT PLAN

Mr. Andrews stated the Board did hold a public hearing in April of this year and one member of the public spoke.

Mr. Rang stated he is hoping that the Board will consider preparing a Negative Declaration and a Resolution of Preliminary Approval on this proposal this evening.

Mr. Andrews reviewed his memorandum to the Board dated June 23, 2005; a copy of this memorandum is attached to the original minutes.

Mr. Andrews suggested that the Board may entertain a Negative Declaration and a Resolution of Approval.

Mr. Fink stated he agreed with Mr. Andrews that a Negative Declaration can be prepared. Mr. Fink stated he has two (2) minor comments. One is that there is a wet meadow in a particular area and suggested that alternative plantings be utilized in this particular area. Mr. Fink stated within the sidewalks there is a planting strip, it would be ideal to widen that strip to 4' rather than 2' to 3' side. Mr. Rang stated he will look into it, as he would like to look at the original plans.

Mrs. Birney made a motion that a Negative Declaration be prepared for the July 14, 2005 Planning Board meeting. Seconded by Mr. LaColla. Motion carried.

Mrs. Birney made a motion that the Board prepare a Resolution of Preliminary Approval for review at the July 14, 2005 Planning Board meeting. Seconded by Mr. LaColla. Motion carried.

REVIEW
VAN WYCK @ MERRITT PARK - AMENDED SITE DEVELOPMENT PLAN

Mr. Andrews reviewed his rough draft of the letter pertaining to the issuance of the Certificates of Occupancy for Phase 1.

Mr. Andrews stated when the Resolution of Approval was written the applicant was given the right to seek authorization from the Planning Board for Certificates of Occupancy. Mr. Andrews stated as of this afternoon Toll Bros. is proposing to pave the road to NYS Route 52 full width on this coming Saturday. Mr. Andrews stated there are many reasons that traffic should not be introduced on the road. Mr. Andrews stated Thalle Industries closed their plant for five (5) days to renew their NYS State Certification so Toll Bros. the June 17, 2005 date. Mr. Andrews stated Mr. Scofield likes to know early when a road is going to be dedicated to the Town.

Mr. Andrews suggested that the number of Certificates of Occupancy be limited to 40. Mr. Zalinsky stated they are actually looking for more than 40. Mr. Andrews stated he has no issue with more than 40; it is at the purview of the Board.

FINAL

REVIEW
VAN WYCK @ MERRITT PARK - AMENDED SITE DEVELOPMENT PLAN
(CONTINUED)

Mrs. Birney stated the Board did discuss the operation of the traffic light on NYS Route 52. What is happening with the traffic light? Mr. Andrews stated the traffic light on NYS Route 52 will need to be operational before Merritt Boulevard is accepted by the Town.

Mr. Andrews stated he will eliminate the number of Certificates of Occupancy and add a condition regarding the traffic light being operational on NYS Route 52. Mr. Andrews stated he will amend the letter and e-mail it to the Board on Monday.

Mr. Zalinsky asked if they are planning to make a substitution or addition regarding the brick or landscaping does he need to come back before the Board with a brick sample.

Mr. Wick stated in the Resolution of Approval this is all clearly spelled out. Mr. Zalinsky stated he will bring these types of items back before the Board.

Mr. Wick asked Mr. Andrews if he is reviewing the landscaping. Mr. Andrews stated he doesn't look at the types of trees, etc. Mr. Andrews stated he counts the number and suggested that the Board have someone else review the landscaping. It was the consensus of the Board that Mr. Fink will review the landscaping.

REVIEW
JUNE 9, 2005 PLANNING BOARD MEETING MINUTES

Mr. LaColla made a motion that the Board adopt the June 9, 2005 Planning Board Meeting Minutes as amended. Seconded by Mr. Rahemba. Motion carried.

OTHER ITEMS DISCUSSED

Mr. Zack stated at the next Town Board meeting on July 13, 2005 he will presenting the amendments to the Sign Code as presented to him by the Sign Code Committee and the Comprehensive Plan Committee.

Mr. LaColla made a motion that the Board close the meeting at 9:02 p.m. Seconded by Mr. Stenger. Motion carried.

Respectfully submitted,
Debbie Davis
Planning Board Secretary

Attachments to the original minutes

FINAL